

**IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

**IN RE: GENERIC PHARMACEUTICALS  
PRICING ANTITRUST LITIGATION**

**THIS DOCUMENT RELATES TO:  
ALL ACTIONS**

**MDL NO. 2724**

**16-MD-2724-CMR**

**HON. CYNTHIA M. RUFÉ**

**INDIVIDUAL DEFENDANTS' MOTION FOR LEAVE TO FILE UNDER SEAL THEIR  
OBJECTION TO SPECIAL MASTER DAVID H. MARION'S THIRD REPORT AND  
RECOMMENDATION RELATING TO BELLWETHER SELECTION AND  
MEMORANDUM OF LAW IN SUPPORT OF THIS MOTION**

Pursuant to Rule 5.2(d) of the Federal Rules of Civil Procedure and Local Rule 5.1.5, Defendants Ara Aprahamian, David Berthold, James (Jim) Brown, Maureen Cavanaugh, Tracy Sullivan Divalerio, Marc Falkin, James (Jim) Grauso, Kevin Green, Robin Hatossy, Jill Nailor, James Nesta, Nisha Patel, Konstantin Ostaficiuk, David Rekenthaler, and Richard (Rick) Rogerson (collectively, the "Individual Defendants"), by and through their undersigned counsel, hereby move this Court for an Order granting leave to file under seal: (1) Individual Defendants' Objection to Special Master David H. Marion's Third Report and Recommendation Relating to Bellwether Selection; and (2) Individual Defendants' Memorandum of Law in Support of Their Motion for Leave to File Under Seal Their Objection to Special Master David H. Marion's Third Report and Recommendation Relating to Bellwether Selection.

March 12, 2020

Respectfully submitted,

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**CERTIFICATE OF SERVICE**

I, Thomas H. Suddath, Jr., hereby certify that a copy of the foregoing Individual Defendants' Motion for Leave to File Under Seal Their Objection to Special Master David H. Marion's Third Report and Recommendation Relating to Bellwether Selection and Memorandum of Law In Support of this Motion was filed via the Court's electronic filing system on March 12, 2020. I further certify that a copy of Individual Defendants' Memorandum of Law in Support of Their Motion for Leave to File Under Seal, which was filed under seal on March 12, 2020, was served via email on all counsel of record using the following email distribution lists: MDL2724AllDeftsService@pepperlaw.com and MDL2724plaintiffsleadsetc@ag.ny.gov.

/s/ Thomas H. Suddath, Jr.

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**IN RE: GENERIC PHARMACEUTICALS  
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**HON. CYNTHIA M. RUFÉ**

**ORDER**

**AND NOW**, this \_\_\_\_\_ day of \_\_\_\_\_, 2020, upon consideration of the Motion for Leave to File Under Seal filed by the Individual Defendants, it is hereby **ORDERED** and **DECREED** that the motion is **GRANTED** and the following documents shall be deemed filed under seal: (1) Individual Defendants' Objection to Special Master David H. Marion's Third Report and Recommendation Relating to Bellwether Selection; and (2) Individual Defendants' Memorandum of Law in Support of Their Motion for Leave to File Under Seal Their Objection to Special Master David H. Marion's Third Report and Recommendation Relating to Bellwether Selection.

BY THE COURT:

\_\_\_\_\_  
Rufe, J.